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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	10/590,614
Filing Date	with an effective filing date of February 28, 2005
First Named Inventor	Richard WALDEN and Robin Julian FERGUSON
Group Art Unit	
Examiner Name	Richard Ross
Attorney Docket Number	ROCKCO P71AUS

Total No. of Pages in this Submission : 11

Fax: (571) 273-0459

## ENCLOSURES (check all that apply)

- ☐ Fee Transmittal Form
  - ☐ Fee attached
- ☐ Amendment/Response
  - ☐ After Final
  - ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request (in Duplicate)
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Part/s Incomplete Application
  - ☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Assignment papers (for an Application)
- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition Routing Slip (PTO/SB/69) and Accompanying Petition (DELETED - no longer useful)
- ☐ To Convert a Provisional Petition
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Small Entity Statement
- ☐ Request for Refund

- ☐ After Allowance Communication to Group
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Additional Enclosure(s) (please identify below):

Response to Telephone Inquiry - 1 pg.  
Copy Previous Submission - 7pgs  
Copy of Check and Postcard - 1pg.  
Copy of Returned Postcard - 1pg.

## REMARKS

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual Name: Michael J. Bujold  
DAVIS & BUJOLD & DANIEL, P.L.L.C.

Signature

Date

August 14, 2007

Reg. No. 32,018  
CUSTOMER NO. 020210

## CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the USPTO on August 14, 2007

Type or printed name: Michael J. Bujold

Signature

Date: August 14, 2007 (tac)

RECEIVED

14 AUG 2007

Legal Staff  
International Division

## PATENT APPLICATION

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of  
Serial no. : Richard WALDEN and Robin Julian FERGUSON  
Filed : 10/590,614  
For : with an effective filing date of February 28, 2005  
Docket : IMPROVED CAN PROCESSING  
ROCKCO P71AUS

The Commissioner for Patents  
U.S. Patent & Trademark Office  
P. O. Box 1450  
Alexandria, VA 22313-1450

Attention: Richard Ross  
Fax: (571) 273-0459

## RESPONSE TO TELEPHONE INQUIRY

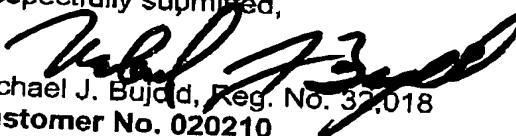
Dear Mr. Ross,

As discussed with you on the telephone, attached is a true and accurate copy of the submission which I sent to the United States Patent and Trademark Office on September 26, 2006 in order to complete the filing requirements of the above identified application. Also enclosed in a copy of the return postcard, received from the United States Patent and Trademark Office, which confirms receipt of the Declaration and Power of Attorney form on September 26, 2006.

In view of the above, it is respectfully submitted that this application is now in a condition to proceed to examination.

In the event that there are any fee deficiencies or additional fees are payable, please charge the same or credit any overpayment to our Deposit Account (Account No. 04-0213).

Respectfully submitted,

  
Michael J. Bujold, Reg. No. 32,018  
Customer No. 020210  
Davis Bujold & Daniels, P.L.L.C.  
112 Pleasant Street  
Concord, NH 03301-2931  
Telephone 603-226-7490  
Facsimile 603-226-7499  
E-mail: [patent@davisandbujold.com](mailto:patent@davisandbujold.com)

Approved for use through 3/31/2007. OMB 0651-0021  
 Trademark Office: U.S. DEPARTMENT OF COMMERCE  
 Section of Information unless it displays a valid OMB control number.

Under the Work Reduction Act of 1995, no persons are required to respond to a Patent.		ATTORNEY'S DOCKET NUMBER <b>ROCKCO P71AUS</b>
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		U.S. APPLICATION NO. <b>10/590,614</b>
INTERNATIONAL APPLICATION NO. <b>PCT/GB2005/000761</b>	INTERNATIONAL FILING DATE <b>February 28, 2005</b>	PRIORITY DATE CLAIMED <b>February 26, 2004</b>
TITLE OF INVENTION <b>IMPROVED CAN PROCESSING</b>		
APPLICANT(S) FOR DO/EO/US <b>Richard WALDEN and Robin Julian FERGUSON</b>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> <li>1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li>4. <input type="checkbox"/> The US has been elected (Article 31).</li> <li>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))           <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))           <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))           <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol>		
Item 11 to 20 below concern document(s) or information included:		
<ol style="list-style-type: none"> <li>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input type="checkbox"/> A preliminary amendment.</li> <li>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</li> <li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.</li> <li>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</li> <li>19. <input type="checkbox"/> A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).</li> </ol>		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. § 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

PTO-1390 (Rev. 07-2005)  
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Patent & Trademark Office: U.S. DEPARTMENT OF COMMERCE  
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U.S. APPLICATION NO. <b>10/590,614</b>		INTERNATIONAL APPLICATION NO. <b>PCT/GB2005/000761</b>		ATTORNEY'S DOCKET NUMBER <b>ROCKCO P71AUS</b>	
20. Other Items or Information:					
The following fees have been submitted				Calculations	PTO USE ONLY
21. ■ Basic national fee (37 CFR 1.492(a))		\$300			
22. ■ Examination fee (37 CFR 1.492(c))					
If the written opinion prepared by ISA/US or the International Preliminary Examination Report prepared by IPEA/US indicates all claims satisfy provision of PCT Article 33(1)-(4)		\$0			
All other situations		\$200			
23. □ Search fee (37 CFR 1.492(b))					
If the written opinion of the ISA/US or the International Preliminary Examination Report prepared by IPEA/US indicates all claims satisfy provision of PCT Article 33(1)-(4)		\$0			
Search fee (37 CFR 1.445(a)(2)) has been paid on the International Application to the USPTO as an International Searching Authority		\$100			
International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the ISA		\$400			
All other situations		\$500			
TOTAL of 21, 22, and 23 =		\$			
□ Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.		\$			
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100	/ 50 =		x \$250	\$	
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).				\$130.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	- 20 =		x \$50	\$	
Indep. claims	- 3 =		x \$200	\$	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360	\$	
TOTAL OF ABOVE CALCULATIONS =				\$	
■ Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.					
SUBTOTAL =				\$65.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				+	\$
TOTAL NATIONAL FEE =				\$65.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$	
TOTAL FEES ENCLOSED =				\$65.00	
Amount to be refunded:				\$	
Amount to be charged				\$	

Under the Patent Work Reduction Act of 1995, no persons are required to respond to

Approved for use through 3/31/2007. OMB 0651-0021  
Trademark Office: U.S. DEPARTMENT OF COMMERCE  
Action of Information unless it displays a valid OMB control number.

- a. ☒ A check in the amount of \$65.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. 04-0213 in the amount of \$\_\_\_\_\_ to cover the above fees.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 04-0213. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

Customer Number: 020210

DAVIS AND BUJOLD, P.L.L.C.  
112 Pleasant Street  
CONCORD, NH 03301-2931

TEL: (603) 226-7490

FAX: (603) 226-7499

E-MAIL: patent@davisandbujold.com

  
SIGNATURE

Michael J. Bujold  
NAME

32,018  
REGISTRATION NUMBER

CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this Transmittal Letter and the papers indicated as being transmitted therewith is being deposited with the United States Postal Service on this date September 26, 2006 in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EV881033785US addressed to the: Commissioner of Patent and Trademarks, P. O. Box 1450, Alexandria, VA 22313-1450

Michael J. Bujold  


ROCKCO P71ALS

## COMBINED DECLARATION AND POWER OF ATTORNEY

(Original, Design, National Stage of PCT, Supplemental)

As a below named inventor, I hereby declare that:

**TYPE OF DECLARATION**

**This declaration is of the following type: (check one applicable item below)**

- ☐ original  
☐ design  
☐ supplemental  
☒ **National Stage of PCT**  
☐ divisional (see added page)  
☐ continuation (see added page)  
☐ continuation-in-part (see added page)

## INVENTORSHIP IDENTIFICATION

My/our residence, post office address and citizenship is/are as stated below next to my/our name.  
I/We believe that the named inventor or inventors listed below is/are the original and first inventor or  
inventors of the subject matter which is claimed and for which a patent is sought on the invention  
entitled:

**TITLE OF INVENTION**

## IMPROVED CAN PROCESSING

## SPECIFICATION IDENTIFICATION

The specification of which: (complete (a), (b) or (c))

- (a) ☐ Is attached hereto.  
(b) ☐ was filed on \_\_\_\_\_ with an effective filing date of February 28, 2005  
\_\_\_\_\_ as  
☐ Serial No. \_\_\_\_\_ or  
☐ Express Mail No. \_\_\_\_\_ as Serial No. (not yet known) and  
was amended on \_\_\_\_\_ (if applicable).  
(c) ☒ was described and claimed in PCT International Application  
No. CT/GB2005/000761 filed on February 28, 2005 and as amended under PCT Article  
19 on \_\_\_\_\_ (if any).  
(d) ☐ amended on \_\_\_\_\_

## POWER OF ATTORNEY

As a named inventor, I hereby appoint all of the practitioners associated with the **Customer Number 020210**, namely, Anthony G. M. Davis, Registration No. 27,868, Gary D. Clapp, Registration No. 29,055, Michael J. Bujold, Registration No. 32,018, Scott A. Daniels, Registration No. 42,462 and Jay S. Franklin, Registration No. 54,105, as attorneys and/or agents to represent the undersigned before the United States Patent and Trademark Office (USPTO) in connection therewith.

- ☐ Attached as part of this Declaration and Power of Attorney is the authorization of the above-named attorney(s) to accept and follow instructions from my representative(s).

**Send Correspondence to:**

**Customer No. 020210**  
**Davis & Bujold, P. L. L. C.**  
**112 Pleasant Street**  
**Concord, NH 03301-2931**

**Direct Telephone Calls to: (603) 226-7490**

**Direct Facsimiles to: (603) 226-7499**

### ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I/We hereby state that I/we have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I/We acknowledge the duty to disclose to the United States Patent Office all information which is known to be material to patentability of this application as defined in § 1.56 of Title 37 of the Code of Federal Regulations.

### PRIORITY CLAIM

I/We hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me/us on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

#### EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

COUNTRY	APPLICATION NO.	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 37 USC 119
British	0404299.0	February 26, 2004	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO

#### ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

☐ I/We hereby claim the benefit, under 35 U.S.C. 119(e), of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YY)	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

### DECLARATION

I/We hereby declare that all statements made herein of my/our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first joint inventor: Richard WALDEN

Inventor's signature: *Richard Walden*

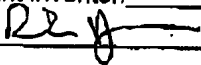
Date: 7<sup>th</sup> Sept 2006

Post Office Address: c/o Zinetec Ltd, 22 Highworth road, Faringdon, Great Britain, SN7 7EE

Residence: Same as Above

Country of Citizenship: GB

Full name of second joint inventor: Robin Julian FERGUSON

Inventor's signature:  Date: 18th Sept 06

Post Office Address: c/o Zinetec Ltd, 22 Highworth road, Faringdon, Great Britain, SN7 7EE

Residence: Same as Above Country of Citizenship: GB



**IMPORTANT NOTICE RE  
DUTY OF CANDOR AND GOOD FAITH**

The Duty of Disclosure requirements of Section 1.56(a), of Title 27 of the Code of Federal Regulations, are as follows:

A duty of candor and good faith toward the Patent and Trademark Office rests on the inventor, on each attorney or agent who prepares or prosecutes the application, and on every other individual who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application. All such individuals have a duty to disclose to the Patent Office all information they are aware of which is known to be material to patentability of the application. Such information is material where there is a substantial likelihood that a reasonable examiner would consider it important in deciding whether to allow the application to issue as a patent. The duty is commensurate with the degree of involvement in the preparation or prosecution of the application.

By virtue of this regulation, each inventor executing the Declaration for the filing of a patent application acknowledges his/her duty to disclose information of which he/she is aware and which may be material to the examination of the application.

Inherent in this is the duty to disclose any knowledge or belief that the invention:

- (a) was ever known or used in the United States of America before his/her invention thereof;
- (b) was patented or described in any printed publication in any country before his/her invention thereof or more than one year prior to the actual filing date of the United States patent application;
- (c) was in public use or on sale in the United States more than one (1) year prior to the actual filing date of the United States patent application; or
- (d) has been patented or made the subject of inventor's certificate issued before the actual filing date of the United States patent application in any country foreign to the United States on an application filed by him/her or his/her legal representative(s) or assign(s) more than twelve (12) months before the actual filing date in the United States.

**NOTE:** The "Information" concerned includes, but is not limited to, all published applications and patents, including applicant(s) and assignee(s) own, United States or foreign application(s) and patent(s), as well as any other pertinent prior art known, or which becomes known, to the inventor or his/her representative(s). Where English language equivalents of foreign language documents are known, they should be identified and, when possible, copies supplied. Failure to comply with this requirement may result in a patent issued on the application being held invalid even if the known prior art which is not supplied is material to only one claim of that patent.

If there is any doubt concerning whether or not a citation is "material" to patentability of the application, it is better to err on the side of safety and disclose such art to the United States Patent Office.

In re Appln. of:

Richard WALDEN and Robin Julian  
FERGUSON

Serial No.:

10/590,614

Filed:

with an effective filing date of February 28,  
2005

For:

IMPROVED CAN PROCESSING  
ROCKCO P71AUS

Docket:

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Check \$65, 3pg transmittal (+dupl.), 4pg  
dec/poa.

10/14/2007

EV881033785US

PAY TO THE ORDER OF THE COMMISSIONER FOR PATENTS SIXTY FIVE DOLLARS AND 00/100		15928	
IN FULL OF THE DEBT OF THE PATENTEE TO THE PATENT OFFICE 1225 Main Street Concord, NH 03301 Phone: 603-226-7499		SEP 26 2006	
FOR ROCKCO P71AUS MISSING PARTS		1010010611	
1015928		1010010611	
THIS DOCUMENT REMAINS A PENDING SUBORDINATE OF WHATEVER PAPER IS PRESENT IN THE PATENT OFFICE.			

In re Appln. of:

Serial No.:

Filed:

For:

Docket:

RECEIVED:

tac:09/26/06

OCT - 2 2006

Richard WALDEN and Robln Julian  
FERGUSON  
10/590,614  
with an effective filing date of February 28,  
2005  
IMPROVED CAN PROCESSING  
ROCKCO P71AUS

Check \$65, 3pg transmittal (+dupl.), 4pg  
dec/poa.

IAP6 Rec'd PCT/PTO 26 SEP 2006